

## Next Session Aug. 25

# Mafia Probers Await Marcello

BATON ROUGE (AP) — The legislative committee investigating charges of Mafia influence in state government has adjourned until Aug. 25 when alleged Louisiana Mafia boss Carlos Marcello of Metairie is scheduled to appear. Also scheduled to appear—and to provide records the

A spokesman for the Department of Public Safety Investigative Bureau today confirmed Carlos Marcello was served yesterday morning with a subpoena to appear before the legislative committee investigating charges of Mafia influence in state government.

committee wants to see—is Lee Agerton, state revenue collector.

Sen. Claude Duval of Houma, committee chairman, said Marcello was served with a subpoena yesterday to appear at the next public hearing.

During yesterday's hearing, Duval issued an ultimatum to Agerton to produce on Aug. 25 the tax files of eight legislators whom Agerton testified were delinquent in paying their state income taxes.

The committee's order and abrupt adjournment came after Agerton refused three times to divulge the tax files of the legislators, contending state law prohibited him from complying with a committee subpoena.

The committee issued the subpoena for the records Tuesday after John Levy, a former assistant revenue collector, testified that State Adj. Gen. David Wade and between 30 and 40 legislators had failed to file timely tax returns.

AGERTON TOLD the committee a survey of tax files Tuesday night revealed only eight delinquent lawmakers. But he refused to name them or produce their records.

He said: "I'm not protecting anybody except Lee Agerton. I do not want to place myself in the position of being sued for divulging confidential records."

The unexpected refusal prompted a hurried closed-door committee meeting and afterwards Duval said the panel was granting Agerton until Aug. 25 to produce the records, as a "courtesy" and because of his "genuine concern to act properly."

Duval warned, however, that the committee would insist that Agerton furnish the records at the next public hearing.

"WE WILL NOT submit to any legal opinion from your department or any other state office," Duval said. "Unless we are enjoined by a court of competent jurisdiction we will take proper action to obtain these documents."

Duval said the committee

"unanimously and unequivocally believes it is entitled to the documents in question."

"We believe the additional information sought is necessary for the committee to discharge its duties and responsibilities," Duval said. "Access to these documents is essential. The committee proposes to have them."

The committee of lawmakers and citizens was created by the 1970 legislature to investigate Life magazine charges that the Mafia exerts influence in state government.

LIFE WAS particularly critical of the Revenue Department, charging that Marcello "seems able to control the hiring and placement of agents and can manipulate state auditing procedures almost at will."

Committee counsel Gordon Kea said the Agerton decision left him "in wonderment."

"It is obvious that any number of people have been through the files of the Revenue Department," Kean said. Agerton defended his position saying he was not attempting to cover up anything.

"I WANT THIS committee, the news media and the general public to know as collector of revenue it has not been my intent to play favorites," Agerton said. "If a taxpayer is delinquent we are going after him."

"By golly they are going to come up with the delinquent taxes owed the state."

Agerton was appointed revenue collector last month after Ashton Mouton, whom Life said "consistently squelched" investigations into tax claims against Marcello, was transferred to Agerton's old post as hospital director.

Agerton was the second

state official to refuse a committee request for documents. Last month Wade refused to give the committee a copy of a letter he wrote Gov. John McKeithen following an administration probe of the Life article.

Duval told Agerton before

the adjournment that the committee would expect the revenue chief and revenue employees Ben Graser, Thomas Spiers and E. E. Hetherwich to appear at the next hearing "prepared to testify before this committee together with the records necessary."